

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TOMMIE SLACK,

Plaintiff,

v.

S. KARIKO, et al.,

Defendant.

Case No. C20-05508-RSM-SKV

ORDER ON STIPULATED MOTION
FOR EXTENSION AND AMENDING
PRETRIAL SCHEDULING ORDER

This is a 42 U.S.C. § 1983 civil rights action. On November 4, 2021, the parties filed a stipulated motion seeking to extend the deadline for Plaintiff's expert witness disclosure from November 8, 2021 to January 10, 2022, and to extend the deadline for Defendants' rebuttal expert witness disclosure from November 29, 2021, to January 31, 2022. Dkt. 59. On November 15, 2021, the Court issued a minute order indicating that it was unclear from the stipulated motion whether the parties believed the requested extensions would impact the other deadlines established by the current pretrial scheduling order and whether they were also seeking an extension of those other deadlines. Dkt. 60. Accordingly, the Court directed the parties to notify the Court regarding their intentions with respect to the remaining deadlines in the case on or before November 22, 2021. *Id.*

1 On November 22, 2021, Defendants filed a response to the order indicating that they did
2 not agree to extend any other deadlines in the case except those for expert witness disclosure and
3 rebuttal witness disclosure. Dkt. 61. Plaintiff also filed a response to the order in which counsel
4 indicates that he recently settled another case and has now more fully evaluated the instant case
5 and believes he will require additional time to meet the other deadlines in the case. Dkt. 62.
6 Plaintiff's counsel indicates that due to other trial commitments, vacation, Jewish holidays in
7 September, and other personal commitments, he is now seeking to extend the trial date from June
8 6, 2022, to October 31, 2022, or November 7, 2022, and asks that the other pretrial deadlines be
9 extended in accordance with the new trial date.

10 On November 30, 2021, Defendants filed a response to Plaintiff's request to further
11 extend the deadlines in the case, indicating that they opposed an extension to October or
12 November 2022 but that they would agree to an additional 30-60 day extension of the trial date.
13 Dkt. 63. Defendants also point out that Plaintiff has failed to file an amended complaint within
14 14 days of the Court's October 25, 2021, order granting his motion for leave to file an amended
15 complaint as required by Local Civil Rule 14.

16 On December 1, 2021, Plaintiff filed a reply to Defendants' response reiterating his
17 request for extension of the trial date to October 31, 2022 and requesting an additional 14 days to
18 file the amended complaint in this matter. Dkt. 64.

19 Having reviewed the parties' stipulated motion, the responses to the Court's minute
20 order, and the relevant record the Court hereby **ORDERS**:

21 (1) Plaintiff shall file his amended complaint by **December 10, 2021**.

22 (2) The parties' stipulated motion, Dkt. 59, to extend the deadlines for expert disclosure and
23 rebuttal expert disclosure is GRANTED.

(3) Upon considering the parties' responses to the Court's minute order, the remaining deadlines in the case are also extended as set forth below. The pretrial scheduling order, Dkt. 51, is amended as follows:

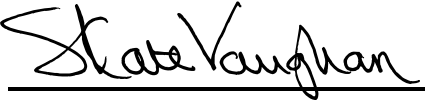
Event	Date
JURY TRIAL SET FOR 9:00am on	8/8/2022
Length of trial	4-6 days
Disclosure of expert testimony under FRCP 26(a)(2) due	1/10/2022
Disclosure of rebuttal expert testimony under FRCP 26(a)(2) due	1/31/2022
All motions related to discovery must be filed by this date and noted for consideration no later than the third Friday thereafter (<i>see</i> LCR 7(d) or LCR 37(a)(2))	2/9/2022
Discovery to be completed by	3/11/2022
All dispositive motions must be filed by this date and noted for consideration no later than the fourth Friday thereafter (<i>see</i> LCR 7(d))	4/11/2022
Settlement Conference per LCR 39.1(c)(2) held no later than	5/10/2022
Mediation per LCR 39.1(c) held no later than	6/9/2022
All motions in limine must be filed by this date and noted for consideration no earlier than the third Friday after filing but no later than the Friday before the pretrial conference (<i>see</i> LCR 7(d)(4))	7/11/2022
Agreed LCR 16.1 Pretrial Order due	7/27/2022
Trial briefs, proposed voir dire questions, proposed jury instructions, deposition designations, and exhibits due by this date; Counsel are to confer and indicate with their submissions which exhibits are agreed to	8/1/2022
Pretrial conference	To be set as needed

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1 (4) The other provisions of the original pretrial scheduling order, Dkt. 51, remain the same.

2 (5) The Clerk is directed to provide a copy of this order to the parties.

3 Dated this 2nd day of December, 2021.

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6 S. KATE VAUGHAN
7 United States Magistrate Judge
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